

REMARKS

Claims 3–20, 23, 24, 27, and 28 are pending in this application. By this Amendment, claims 3–20, 23, 24, 27, and 28 are amended, and claims 1, 2, 21, 22, 25, and 26 are canceled. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1–28 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By this amendment, claims 1, 2, 21, 22, 25, and 26 are canceled, rendering their rejection moot. The remaining claims are amended to better conform to current U.S. practice. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection Under 35 U.S.C §102

The Office Action rejects claims 1 and 21 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0152245 A1 to McCaskey et al. ("McCaskey"). By this amendment, claims 1 and 21 are canceled, rendering their rejection moot.

III. Rejections Under 35 U.S.C. §103

The Office Action rejects claims 2–20 and 22–28 under 35 U.S.C. §103(a) over McCaskey in view of U.S. Patent No. 6,173,286 B1 to Guttman et al. ("Guttman"). By this amendment, claims 2, 22, 25, and 26 are canceled, rendering their rejection moot. As to the remaining claims, Applicants respectfully traverse the rejection.

Independent claims 3 and 4 are directed to a layout system, independent claims 23 and 24 are directed to a layout program, and independent claims 27 and 28 are directed to a layout

method. Claims 3, 23, and 27 have features similar to one another, and claims 4, 24, and 28 have features similar to one another.

Claims 3, 23, and 27 require "that if there are no items of published information suitable to be stored in the information storage region on the basis of matching identification data" it is determined "if any item of published information is to be stored in the information storage region based on the arrangement control data of an item of published information and the information storage region." As conceded by the Office Action, McCaskey fails to disclose such a feature.

The Office Action asserts that Guttman cures the deficiency. However, the claims require that both the item of published information and the information storage region has arrangement control data, and thus the determination of whether any item of published information is to be stored in the information storage region is based upon the arrangement control data of the item of published information and the arrangement control data of the information storage region. Despite Guttman's asserted teachings, it fails to disclose such a feature, and thus fails to remedy the deficiency of McCaskey.

Similarly, claims 4, 24, and 28 require "that if there are no items of published information suitable to be stored in the information storage region on the basis of matching *or related* identification data" it is determined "if any item of published information is to be stored in the information storage region based on the arrangement control data of an item of published information and the information storage region" (emphasis added). As discussed above, McCaskey fails to disclose such a feature and Guttman fails to cure the deficiency.

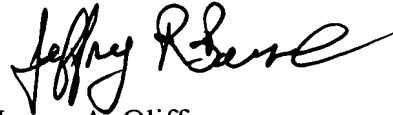
Claims 3, 4, 23, 24, 27, and 28 would not have been rendered obvious by McCaskey and Guttman. Claims 5–19 variously depend from claims 3 and 4 and, thus, also would not have been rendered obvious by McCaskey and Guttman. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 3-20, 23, 24, 27, and 28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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